IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/516,705	Art Unit:	1643
Filed:	December 2, 2004	Examiner:	L. Bristol
1st Inventor:	T. Hara	Allowed:	
For:	Mutant Androgen Receptor, Cancer Cells Expressing the Same, A Method of Producing Them and Use Thereof	Batch:	
Atty. Dkt. No.	3056 US0P	Paper No.:	

Election of Claims

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed January 12, 2007 for the above-identified U.S. patent application, Applicants hereby elect to prosecute the aspects of the invention set forth in Group V (claim 12) with traverse. No amendment of inventorship is necessitated by this election. A Petition for a One-Month Extension of Time and an authorization to pay the 37 CFR Sec. 1.17(a)(1) fee of $120.00 accompanies this response.

In response to the Examiner's comments, Applicants provide the following information for consideration.

One of the characteristics of the present invention is production of an anti-androgen drug-resistant cancer cell line that expresses a mutant androgen receptor, by culturing (i.e. *in vitro*) cancer cells sensitive to a specified anti-androgen drug in the presence of said anti-androgen drug. This characteristic is quite different from introduction of a mutation into HeLa cells using pARL plasmid containing a mutated AR sequence derived from the LNCaP cell line described in Veldscholte *et al,* which was established from tumor cells derived from a metastatic lesion of a human carcinoma, and which expresses a mutated androgen receptor (AR).

As to the Hara *et al.* reference, Applicants note that their earliest priority Japanese patent application was filed on June 3, 2002, prior to the publication of the article.

As concerns the Culig *et al.* reference, the LNCaP-abl cell line described therein was obtained by culturing LNCaP cells in androgen-depleted medium for a long period, and therefore a novel mutation is not introduced into AR gene (protein) in the cell line.

Furr *et al.* only describes that flutamide enhances the proliferation of LNCaP cell line. As understood from above, the flutamide resistance of the cell line did not result from introducing a mutation into AR *in vitro*.

The references cited by the Examiner do not disclose or suggest the technical feature of the invention as set forth in independent claim 1, wherein a mutation can be introduced into AR *in vitro* by culturing cancer cells sensitive to an anti-androgen drug in the presence of said anti-androgen drug. For this reason, Applicants disagree that the technical feature recited in claim 1 is not special.

Early allowance of the claims is requested. Should the Examiner believe that a conference with Applicants' attorney would advance prosecution of this application, the Examiner is respectfully invited to call Applicants' attorney at the number below.

Respectfully submitted,

Date: March 9, 2007

/Elaine M. Ramesh/

(224) 554-5689
(224) 554-5494

Elaine M. Ramesh, Ph.D., Reg. No. 43,032
Mark Chao, Ph.D., Reg. No. 37,293
Attorney for Applicants
Customer No. 23115

Takeda Pharmaceuticals North America, Inc.
Intellectual Property Department
One Takeda Parkway
Deerfield, IL 60015 USA